

THE MARTHA'S VINEYARD COMMISSION

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Minutes of the Meeting of May 20, 2004

Held in the Old Whaling Church,
Main Street, Edgartown, MA

IN ATTENDANCE

Commissioners: James Athearn (Elected – Edgartown), John Best (Elected – Tisbury), John Breckenridge (Appointed - Oak Bluffs), Christina Brown (Elected – Edgartown), Linda DeWitt (Appointed - Edgartown), Jane A. Greene (Appointed - Chilmark), Katherine Newman (Appointed - Aquinnah), Ned Orleans (Appointed - Tisbury), Megan Ottens-Sargent (Elected - Aquinnah), Doug Sederholm (Elected - Chilmark), Linda Sibley (Elected - West Tisbury), Paul Strauss (County Comm. Rep.), Richard Toole (Elected – Oak Bluffs), Andrew Woodruff (Elected – West Tisbury)

Staff: Mark London (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Analyst), William Wilcox (Water Resource Planner), Christine Flynn (Economic Development and Affordable Housing Planner)

1. PACIFIC COTTON: DRI NO. 579 – DECISION

Commissioners present: J. Athearn, J. Best, J. Breckenridge, C. Brown, L. DeWitt, J. Greene, K. Newman, N. Orleans, M. Ottens-Sargent, D. Sederholm, L. Sibley, P. Strauss, R. Toole, A. Woodruff

Christina Brown reported that the LUPC recommended:

1. As offered by the applicant, he will provide \$2,744 to offset the likely impacts on affordable housing to either the Dukes County Housing Authority of the Tisbury Housing Committee.
2. Three units will be rented on a seasonal or year-round basis and the smaller of the units will be used by the first floor business when needed.

3. The applicant will prepare and submit a construction schedule to Tisbury Board of Selectmen or such offices as they designate for approval to be designed to minimize disruption.
4. All offers, documents, and plans submitted with the application are part of the approved plan.

Linda Sibley moved and it was duly seconded that that the Pacific Cotton project be approved with conditions as outlined above.

Jane Greene said condition two should read that the applicant should reserve at least the smallest of the three apartments for employees; condition three should include downtown Vineyard Haven rather than only in the area of the building, because demolition and construction could disrupt a larger vicinity.

A roll call vote was taken to approve the Pacific Cotton application with conditions as outlined and amended above. In favor: J. Athearn, J. Breckenridge, C. Brown, L. DeWitt, J. Greene, K. Newman, N. Orleans, M. Ottens-Sargent, D. Sederholm, L. Sibley, P. Strauss, R. Toole, A. Woodruff. Opposed: None. Abstain: J. Best. The motion passed.

2. PENNYWISE PATH AFFORDABLE HOUSING: DRI 577, 12th STREET, EDGARTOWN: PUBLIC HEARING

Commissioners present: J. Athearn, J. Breckenridge, J. Best, L. DeWitt, J. Greene, K. Newman, N. Orleans, M. Ottens-Sargent, D. Sederholm, L. Sibley, P. Strauss, R. Toole, A. Woodruff

Christina Brown recused herself from the hearing.

For the Applicant: Ted Morgan, Chair, Edgartown Affordable Housing Committee; Alan Gowell, Edgartown Affordable Housing Committee; Pennywise Path Affordable Housing, The Community Builders (Charles Eisenberg, Joyce Rinaldi); John Winslow, architect; Ned Hollinshead, transportation planner; Peter Friedman, attorney

Linda Sibley opened the public hearing on the Pennywise Path Affordable Housing application for 60 one, two, and three-bedroom units on 17.5 acres of town-owned land on 12th Street in Edgartown for affordable housing. She explained the public hearing process.

Ted Morgan, Chairman of the Affordable Housing Committee for Edgartown, explained the background of the project.

- In partnership with the Land Bank, Edgartown took a 180-acre parcel by eminent domain; 50+ acres were allocated to the town and 120+ acres were placed under conservation restriction held by the Land Bank.
- At an annual town meeting, a 12-acre parcel was overwhelmingly approved for affordable housing. Five (5) acres had already been designated for affordable housing.
- The Committee worked with state agencies and developed a Request for Proposal; the Committee received three proposals and, after public hearings and site visits, selected The Community Builders, which has built 10,000 units throughout the country.
- Because the land was obtained through eminent domain, the town couldn't sell the land -- so, a 99-year lease was written.
- A second access/egress off Metcalf Drive was necessary so the Committee worked out a deal with the Land Bank whereby the Committee exchanged 7 acres of land specifically around the frost bottom for 2 acres along Metcalf.
- After approval at town meeting, the 99-year lease bill was filed with the State Legislature, as was a bill amending the conservation restriction for the acreage along Metcalf.

Alan Gowell, Edgartown Affordable Housing Committee, spoke about the Town's choice of The Community Builders and about the Pennywise Path Site.

- The Committee was formed 3 years ago with members of the Board of Selectmen, the Planning Board, the Resident Homesite Committee, as well as the real estate, construction and banking sectors.
- The Committee has relied on the advice of consultants; one consultant developed a needs assessment to determine Edgartown's particular housing needs, which was that the town had an immediate need for 60 units of rental housing for a mix of incomes.
- Another consultant looking at the site determined that it should accommodate 40 to 70 units depending on wastewater alternatives.
- With assistance from Mass. Health and Partnership, the Committee wrote a Request for Proposals, soliciting proposals from developers to build 40 to 60 units of mixed income housing in an architectural style that would fit with the area; the proposal also required the developer to manage the development. The Committee looked for a developer who would: build what the committee wanted, agree to a tenant selection process, and sign a lease with the town giving the town continuing say in the operation of this property through enforcement of the lease terms.
- Three experienced developers submitted proposals; The Community Builders were selected for their experience, current projects, and ability to carry out the terms of the proposal. The Committee has a high degree of confidence in The Community Builders. It is a non-profit company, they've built over 10,000 units of affordable housing, and they believe in the mission of affordable housing.

- The Community Builders is the applicant before the Commission; they are carrying out the will of the Edgartown Affordable Housing Committee. Unless they have been constrained by the law or funding, they have in every instance accommodated the wishes and requirements of the Affordable Housing Committee.
- The Committee believes that the Pennywise parcel is an ideal site on which to build this development. Voters supported the project in 1998 and 1999 when the decision was made to take the land by eminent domain and to set aside 30 acres for municipal use, placing a conservation restriction on about 120 acres. In 2001 the voters authorized the town to use part of the Pennywise parcel for an affordable housing development. In 2003, voters authorized the Selectmen to enter into a 99-year lease with the developer as well as to modify two conservation restrictions it needed for access roads.
- The Committee believes this is an ideal site because it already has town-owned blacktop roads to the edge of the site, electricity and a public water supply almost to the edge of the site, and reasonable prospects of tie-in to the Edgartown Wastewater Facility which has reserved some of its excess capacity for the development. The site is ideal for its location away from the main road so as to not be readily visible, but in close proximity to bus routes. Part of the site is a five-acre parcel that is to be used as a recreational area for families in the development and in the neighborhood.
- Some of the buildings are at the edge of the property, for which the Committee makes no apologies. Adjacent neighborhoods are already fairly dense; the committee does not believe that the tenants of the development should be isolated from the Arbutus Park neighborhood; the development should be an extension of that neighborhood.
- The site borders a frost bottom and has recently been identified by the state as a priority habitat. After a MEPA review, the State Secretary of Environmental Affairs endorsed the choice of this site for this housing development. The secretary has issued the project a certificate allowing it to proceed and encouraging the project. Members of the Committee presented information to a joint committee of the Legislature for Local Affairs regarding the 99-year lease, for which the Committee needs legislative approval. All the members of that committee spoke in favor of the project, with one member stating that this was the ideal project, creating a significant affordable housing project next to and in cooperation with a large piece of conservation land.
- The Committee is asking the Commission to approve the project with the single access road of 12th Street. The Committee also hopes that the Commission will approve the project if the Committee is able to secure the modification of conservation restrictions through the Legislature as well as conclude negotiations with private landowners to allow and create a second access off Metcalf Street. As a result, the Committee is seeking approval with the single access of 12th street.
- 70% of the units will be for residents of Edgartown. The remaining 30% will be for residents of the rest of Martha's Vineyard.

- The apartments are for a mixture of income levels. 41 units will be for families at less than 80% of median. Currently, at the Vineyard Housing Office, 196 families have qualified and are waiting for a unit like one of these. At least 50 of the 196 are residents of Edgartown. There is a demonstrated need for these apartments.
- When the apartments are finished and become available for rent, a list will be opened and names will be added on a first-come first-served basis. In order to be able to sign a lease and receive one of these apartments, a prospective tenant will need to show they have a job, with the exception of people with a section 8. They have to show they pay income taxes and have a valid Social Security Number. Information will be checked before a lease is signed and then verified every year thereafter.
- This development should bring increased stability to renters on the Island. Nearly half of the renters on Martha's Vineyard have been renting for over ten years. In the ten years before the needs assessment study was done, the Vineyard saw the building of 3,700 homes and 50 apartments.
- The Committee does not believe that it can reduce the housing shortage with just single-family houses. The variety and attractiveness of the buildings for Pennywise are a good compromise. The density of the development, while greater than the abutting neighborhoods, is not that much greater. 60 units on 17 acres averages to about .25 acres per unit. The proposal has a good mix of housing, recreation and conservation side by side.
- The voters have spoken several times that they would like to see this project go through.

Jane Greene asked about rent structure. **Alan Gowell** said that The Community Builders would be speaking about rent structure.

Mike Donaroma spoke as the Edgartown Board of Selectmen's representative to Edgartown's Affordable Housing Committee.

- This is a town project and the town has hired The Community Builders to build and manage the project. The Selectmen are responsible for overseeing the project through the building phase, through the rental process and through the maintenance phase; they are responsible from the beginning to end.
- Roads will be discussed in the presentation; all the roads mentioned are town roads and will be built according to town specifications and will be maintained by the town. The roads will be the responsibility of the town and they will be safe.

Charles Eisenberg of The Community Builders laid out the parameters of the project.

- The project is 60 units; 2 units are set aside for the resident manager and the resident maintenance manager. There are 9 one-bedroom, 33 two-bedroom, and 18 three-bedroom units.
- Affordability is based on the Area Median Income (AMI). For a family of two, \$52,900 gross adjusted income is the AMI; for a family of four, AMI is \$66,100.

- Units are allocated as follows:
 - 6 for families earning 30% or less of AMI
 - 30 for families earning 60% or less of AMI
 - 9 for families earning 110% or less of AMI
 - 15 for families earning 140 % or less of AMI
- This mix of affordability was determined by the Affordable Housing Committee.
- Construction may begin by the winter of 2005, depending on permitting and funding, most of which is coming from the state.
- Mr. Eisenberg explained the philosophy of The Community Builders, stating that the company is not in the business of building projects; they are in the business of building neighborhoods.

Joyce Rinaldi, of the property management division of The Community Builders, spoke about the company and the project:

- She explained that they have been in the affordable housing business for about 31 years and have built approximately 14,000 units in 170 different developments.
- They have managed about 7,400 units.
- 23 of their developments in Massachusetts are similar to this one with various tiers of income levels and funded by low-income housing tax credits.
- They are very familiar with the rules, regulations and financing for this kind of project.
- They are also experienced in managing properties and take a lot of pride in the appearance and maintenance of a development.
- They work with tenants to make sure that everyone is self-sufficient and work with tenants to prevent them from getting into a crisis situation, and provide the types of support that residents need.
- Once the project is operational, The Community Builders works with on-site staff, particularly the two managers, who follow schedules for the physical operation of the property; they are also responsible for making sure that rules and regulations are being followed.

John Winslow of Winslow Architects explained that he has been in design and development of affordable housing for thirty years.

- The site is 12 acres and part of a much larger piece of land. The purpose of all developments is to integrate the site with the community it's being built in.
- The site plan is designed around certain design principles. One principle was to use a single-family design style but include multiple units in the building. The buildings have wood shingles and clapboards and are organized in clusters, with secondary roads for the three clusters that surround a common green area. The design styles are New England style buildings. There will be about 20 units per cluster.
- The land is rolling and mostly scrub oak; the common areas are intended to be in their natural condition although they will be clear cut to so that they can be seen through.

Dick Barbini described the topography:

- It is a scrub oak forest with a few rolling hills.
- Roads will be paved with no berms and drainage will be handled as needed, keeping drainage at a minimum.
- The development will be on town water and sewer. When the property line was developed, a hundred foot buffer zone was established around the frost bottom.
- The closest proposed building is 125 feet from the frost bottom.
- The property abuts the golf course; one corner of one building is forty feet from the golf course property line.
- One structure is about 50 feet from Pennywise Path.

Megan Ottens-Sargent asked Dick Barbini to point out the frost pocket versus the frost bottom.

Dick Barbini said he uses the term frost bottom to refer to the frost pocket and reiterated that the property line was established to specifically keep the buildings 100 feet away from the frost pocket. In response to a question from **James Athearn**, Dick Barbini said that he believed an environmental expert demarcated the frost bottom, and a land surveyor physically located it.

Ecologist Wendy Culbert explained that she delineated the upper boundary of the frost pocket for the applicant. The frost pocket is an area that has a longer period of frost. Scrub oak and chink pin oak define its boundaries. It is also defined by a pretty sharp depression. She used the topographic high to indicate the area where the cooler air can pool.

Ned Hollinshead, the transportation planner, explained the traffic impact study that was done for Edgartown. The study was done in two parts: part one with 12th Street access only, part two with 12th Street and Metcalf as access roads.

- From the intersection of 12th Street and Edgartown Vineyard Haven Road: Edgartown Vineyard Haven Road is 26 feet wide; the speed limit is 40 mph; average recorded speed is 45-50 mph. From the intersection, the posted speed limit requires a site distance of 550 feet to make a good decision about turning onto the road; the average recorded speed limit requires 700 feet site distance. **Ned Hollinshead** concluded cars exiting 12th Street have 700 feet site distance in both directions.

Dennis Rogers, a resident of 12th Street, questioned the site-distance of 700 feet.

Ned Hollinshead described 12th Street as 18 feet wide with a posted speed of 20 mph.

- Counts were taken at the intersections in February. Using Commission and Mass Highway data, the study calculated February numbers at approximately 81% of annual average and about 33% of August numbers.

- The study calculated average traffic in the morning and afternoon annually and for August for Edgartown Vineyard Haven Road and for 12th Street, assuming 35 homes using 12th Street in February.
- According to the study's figures, traffic on 12th Street and Edgartown Vineyard Haven Road receive a rating of As and Bs, which is based on delay, for the average annual condition. In the peak season of August, the average delay for a vehicle turning onto Vineyard Haven/Edgartown Road is 35 seconds.
- Based on Mass Highway data, between 1998 and 2001 no reported crashes have occurred at the intersection of Edgartown Vineyard Haven Road and 12th Street.
- Other relevant data includes, during July and August, traffic backs up from the Triangle and Upper Main Street, occasionally extending to 12th Street.
- The study calculated that without the Pennywise development, traffic growth is calculated at 1.8% per year, for a total of 9.3% by 2009.
- The study calculated trip generation with the Pennywise Path development of 60 rental apartment units, with 494 trips generated during a 24-hour period. The greatest effect is in the length of delay turning onto Edgartown Vineyard Haven Road from 12th Street during peak season changing that rating to an E or F.
- In summary, 28 new vehicles will exit in the AM peak hour, with no increase in the average AM exiting delay and no additional vehicles in line to exit. 17 new vehicles will exit in PM peak hour, with a 1 second increase in the average PM exiting time, and no additional exiting vehicles in line.
- August calculations show a 17 second increase in average AM exiting delay, and a 16 second increase in average PM exiting delay caused by 28 cars exiting in the AM peak hour and the huge amount of traffic on Edgartown Vineyard Haven Road.

On site recommendations include:

- 15 mph speed limit
- Continuous sidewalk within the development
- Industry standard compliant signs and
- Pavement markings
- Special treatment at Pennywise Path ancient way crossing
- Minimize light pollution at pedestrian crossing

The study recommends:

- speed humps to slow traffic at the Pennywise Path crossing.
- a stop sign and stop bar at the intersection of 12th Street and Vineyard Haven Edgartown Road.
- MVTA pull-outs if applied elsewhere as well.

The study also analyzed the Metcalf Drive West Tisbury Road intersection that has 800 feet of site distance.

- **Ned Hollinshead** said that he feels that only 30% of the traffic generated by the Pennywise Path Project would use the Metcalf Drive exit.
- The study suggests that 8 new vehicles would exit Metcalf in AM peak hour and no increase would occur in the average AM exiting delay. 15 new vehicles would exit in the PM peak hour with a 1 second increase in the average PM exiting delay, both annually and at peak season.

Ned Hollinshead responded to the idea that people might use 12th Street to Metcalf as a cut-through, particularly in August.

- Speed tables would be appropriate, combined with the speed hump, would take time, discouraging people from using the cut-through as a time-saver.
- He stated that no through traffic is the goal and the study suggests establishing an expected baseline of traffic by monitoring traffic for a week. The baseline should be about 700 vehicle trips per day with Pennywise Path and Metcalf Drive open.
- If level of traffic is 50% greater than expected volume and a through traffic problem is perceived, the Town could consider making Pennywise Drive 1-way northbound between Metcalf Drive and the southerly most Pennywise loop road.

Doug Sederholm asked that a printed copy of the slides be available so the Commission can make a copy.

Megan Ottens-Sargent asked the length of the road from Edgartown Vineyard Haven Road along 12th Street to the development, the length of the road within the development, and the length of the road along Metcalf to West Tisbury Road, which can be provided by the developer.

Paul Foley said the figures in the application are 1500 feet from 12th Street and Edgartown Vineyard Haven Road to the Pennywise Path project and 1500 feet from the project to Metcalf and West Tisbury Road.

Paul Foley gave the staff report on the Pennywise Path Affordable Housing Project.

- The proposal is to build 60 affordable housing units and an access road.
- The zoning is R-20 on part of the site, with a ½ acre minimum, and R-60 on the rest with a 1½ acre minimum.
- The surrounding land uses are the Vineyard Golf Club, the Pennywise Preserve Conservation Area, and the Arbutus Park neighborhood.
- The existing site conditions are heavily wooded primarily oak woodland.
- The project history is at the 1998 Edgartown Town Meeting voters authorized the purchase by eminent domain of 175.7 acres of woodland. In 1999 the town completed the purchase and placed 118.7 acres into conservation held by the Martha's Vineyard Land Bank known as the Pennywise Preserve.
- In January 2003 the town of Edgartown issued a request for proposals for the development of affordable housing on 17 acres of the 57 municipal acres. The Community Builders, Inc. was chosen to do the development.
- Of the 175 acres, 118 were preserved as the Pennywise Preserve. The remaining acres were separated into two different parcels, one in the north and one in the south. The development proposal is in the southern parcel of about 25 acres.
- The project proposes to develop 60 affordable housing units on approximately 12 acres, with 5 acres being set aside for recreation. The development will be divided into 3 clusters of 20 units that are arranged around 3 different

commons. The units will be in houses that are styled on a variety of traditional New England structures such as cottage, farmhouse, and shed.

- The application proposes two roads, but the applicants would like to be approved for one road. The fire chief has suggested that there be two roads for safety reasons. For the second road to be built, approximately 1.2 acres of the Pennywise Path Conservation Area and .2 acres of the Vineyard Golf Club Conservation Area would need to be released. As compensation for that, the developer has proposed that an additional 7.1 acres be put in conservation.
- The DRI was referred to the Commission by the Zoning Board of Appeals, the trigger being a proposal for more than 10 rental rooms.
- A site visit was conducted on May 5, 2004, and a second site visit has been scheduled for May 25th. One of the key issues raised is that the entire project is mapped priority habitat for rare species. When the town bought the property only a small portion was mapped, but since then, Natural Heritage Atlas has mapped all of it priority habitat. If the Metcalf Road connector goes through, it would require the release of interest of lands held for conservation purposes, one of which was developed in partial mitigation of impact on rare species. It would also bisect a large open land, a greenway between Pennywise Path and the Vineyard Golf Course. Also the proposed road could become a by-pass road; the applicants have proposed some traffic mitigation measures.
- Another issue is the path the sewer will take to the treatment plant is undetermined as yet.
- The proposal takes into consideration several principles of smart growth, such as clustering houses.
- The utilities will be supplied by extension of lines located on south 12th Street. The water will be supplied by the town water system; the project is expected to use approximately 12,000 gallons of water per day. According to the water resource planner, there should be no constraints on the plan because of the geology of the site. Groundwater would be expected at 30 feet or more below grade. The developer proposes to use best management practices to prevent water quality degradation. The town waste water facility has adequate capacity to accommodate the 13,500 gallons per day the development will generate.
- The land is a mixed woodland containing a frost pocket with low and dense scrub. The 175 acres lies within the priority habitat mapped in 2003 by the National Heritage Atlas.
- Regarding transportation, the traffic study was reviewed for the Commission by Charles Crevo. The main access is a 1,500-foot extension of 12th Street into the project. The proposal also includes a 150 foot-long, 18 foot-wide road from the development into Metcalf, set back 100 feet from the Golf Course boundary. There will be a one-way lane around each of the common areas; parking spaces total 137. According to the traffic impact study, the project will generate 495 trips a day. If the Metcalf connector is built, it's assumed that 30% of the traffic will use Metcalf. It is a five-minute walk in both directions to Edgartown Vineyard Haven Road and West Tisbury Road where there are buses. There are two ancient ways that either cross or abut the property.

- The project will have three units that are fully ADA accessible, and others can easily be changed to be accessible.
- It's a town project, and the fiscal impacts are known to them.
- Regarding affordable housing, a serious shortage exists in Edgartown. Units are allocated as follows:
 - 6 units for families earning 30% or less of AMI
 - 18 units for families earning 30 - 60% of AMI
 - 17 units for families earning 60 – 80% of AMI
 - 4 units for families earning 80 – 110% of AMI
 - 15 units for families earning 140 % or less of AMI
- The project proposes to use 15 or less project based section 8 certificates.
- For scenic values, the project will not be seen from the road.
- The structures are traditional New England style structures arranged around a 'village green'.
- From the town we heard from the Edgartown Resident Homesite Committee and the Edgartown Planning Board who are strongly in favor of the project.

Paul Foley read from a letter from the Division of Fisheries and Wildlife, which recommends that a rare plant and wildlife evaluation and assessment be conducted by qualified individuals within the suitable habitats for this project. Should rare wildlife or plant be found, the project should be sent to Natural Heritage so they may determine whether this is a probable taking or not.

Peter Friedman explained that on page five of the application, the configuration of income levels is outlined. The application contains the accurate figures for the number at each income level:

- 6 for families earning 30% or less of AMI
- 30 for families earning 30 to 60% of AMI
- 9 for families earning 60 to 110% or less of AMI
- 15 for families earning 110 to 120 % or less of AMI

Jane Greene asked how the applicant is getting around the 10% ADA requirement. Mr. Eisenberg said their understanding is that the requirement is 5% and they are meeting it. **Linda Sibley** suggested that is an issue that needs to be clarified.

Wendy Culbert spoke about the ENF referred to in the Fisheries and Wildlife letter.

- The property already triggers a possible taking and a response to a take.
- The two acres of priority habitat requires the filing of an ENF, which has already been done.
- She said that she believed that the development was done with the assumption that the species are already there.

Doug Sederholm suggested that it seems that the ENF was filed in regard to the conversion of the 1.4 acres that need to be crossed over to get to Metcalf. **Wendy Culbert** said she wasn't able to speak to that.

- **Megan Ottens-Sargent** pointed out that in the letter from National Heritage stated MESA would do a review of the land after the wildlife survey was done and if any endangered species were found. She suggested that should endangered species be found, a conservation permit might be required but a “take” would not necessarily be the result; more likely would be National Heritage’s involvement in the process of planning.

Charles Crevo, traffic consultant to the MVC, reported on the traffic impact of the Pennywise Development. He explained the process by which they get information on which to base their impact report. The only recommendation Mr. Prevost would make on the development’s traffic study is do counts in the summer time and update the report with the new figures. He said he determined that all steps were done according to accepted practice and the report was done using standard methodology.

Mike Donaroma spoke on behalf of the Edgartown Board of Selectmen who are 100% supportive of the project. The town is also in support, having voted overwhelmingly to take the land and then use a portion for housing. This was doing in cooperation with the Land Bank. He asked that when the Selectmen look at benefits and detriments; a big consideration for the Commission should be that the lion’s share of this property remains in conservation.

Allison Cannon of the Edgartown Planning Board stated that the Planning Board is overwhelmingly in favor of the project. It is in keeping with the goals of the Edgartown Master Plan to keep Edgartown a town of self-support, livable by people of all walks of life and balanced with the natural environment.

Mary Spencer, member of the Affordable Housing Committee, asked to speak in support of the project from the point of view of her job as a hiring manager for a local bank. She explained that bank employees are from about the same economic cross-section that this development is being built for. She explained that she has been doing bank hiring for 25 years. Doing that job in Edgartown requires her to question prospective employees if they have a place to live. She hopes the Commission will approve the project. People who live and work here need places to live. She hopes that in fifty years, when her bank is 150 years old, the children of today’s employees will have a place to live on the Island.

Bob Carroll said he originally lived in a house across from the Gazette Office; rent was \$4.00 a week and hard to come by. When he was a selectman and assessor, they sold lots of Arbutus for \$5 or \$10 to get them back on the tax rolls. He said he has been able to help his children buy houses, but can’t imagine being able to help anyone today; in Edgartown no property is available for less than \$400,000. He has five grandsons living on the island; he reiterated that Edgartown has an opportunity to make it possible for working people to live on Martha’s Vineyard. He hopes that the Commission will give it every consideration. In terms of the conservation issues, 100

acres are going into conservation. He said that the Vineyard and Edgartown need this project for young and working people.

Dennis Rogers, a resident of 12th Street, said he is not against the total scope of the project; the project is needed on the island. His problem is accurate numbers; 12 acres is the accurate number for the project. He has a problem with all the units being in one area of town. Additionally, he believes the project needs a strong proposal for sewage; all the houses on 12th street are on well water.

- Traffic needs to be carefully looked at, especially the projected numbers on Edgartown Vineyard Haven Road. Lots of kids are on the street. 495 trips will be added. He believes that the study shows a failed road system.
- 60 units on 12 acres is too much. He believes the project should be down-sized.
- He questioned the town's ability to prevent drive-throughs. He questioned whether speed humps are allowed on town roads.
- He said presenters said the intention is to extend the neighborhood. Hopefully, in Pennywise some residents will be friends and family, but he wants to see clarification of who qualifies for the units.
- He said that in an R-20 zoning district, ½ acre buildable lots were recommended by town planners; in an R-60 district, 1½-acre lots were recommended. 60 units of 12 acres changes the neighborhood.
- The 2003 rare species study shows a priority habitat for state protected rare species.
- He said in the traffic slides he was very pleased to see the stop sign and white line at the end of the 12th street. He would like to see the other permits in place, especially for Metcalf and in relation to the rare species study. He said he is pleased that the traffic study recommended the stop sign with the white line. He said there is not embankment at the end of 12th Street, but a concrete wall. He questioned the report that no accidents have occurred at that intersection; he knows of a rollover and a motorcycle accident.
- He said he finds it ironic that originally the cut-through to Metcalf was right next to the golf course and now the golf course wants setbacks.
- He said that Edgartown does need apartments but not this many. And he said the traffic would have a significant impact. He supports the Committee's proposal for apartments.
- He said that the island doesn't need more homes; there are 18,000 people and 50,000 homes. The island needs affordable housing, particularly affordable rentals.

Lynn Cooley, 12th Street resident, said that they have two kids. Her concern is her kids' safety and she is worried about traffic. She doesn't believe that the roads are wide enough. She believes that 60 units will generate 120 more cars.

Nina Meyer, living on the corner of Cook and School Street, has a lot of 10,000 square feet. She guesses that the Historical Society will cover the lot they have across the street with structures. There has been an explosion of garages in her area. She wants

to give the other side of the picture. She said she thinks it's fabulous that so much attention and work has been put toward this project; she thinks the same kind of attention should be paid to the village.

Ham Cooey spoke as a resident of 12th Street and as the captain of the Edgartown Fire Company. He said the condition of the hill in winter can be very slippery. Accidents that happen on Edgartown Vineyard Haven Road are extreme, especially during peak season. He believes a second access is very important.

Paul Strauss asked about zoning of ½ an acre in part of the project and 1 ½ acres in other parts. He would like to see which zoning covers which part of the development. **Dennis Rogers** showed areas on the map that are R-60 and R-20.

John Best asked whether zoning was based on groundwater protection. **Dick Barbini** explained that Board of Health has its own groundwater protection by-laws.

Jane Greene asked the applicant for further explanation of the rent structure.

- **Joyce Rinaldi** and **Charles Eisenberg** said that The Community Builders typically has been using upwards of 35% of annual gross income as the rent figure.
- **Jane Greene** asked the rent for people over median. **Charles Eisenberg** explained that the figure moves around a little but the actual rent presently charged to people with 30% AMI, is 28% without utilities. Electric and heat are separate and paid by the tenants but that is deducted and treated as an allowance. In the 60% of AMI category, rent is 30 to 35% of their income. In the 140% of AMI, rent is about 35% of median.
- **Jane Greene** said that currently fair market rent for a 2-bedroom apartment on the island is \$961 a month.
- **Linda Sibley** asked **Jane Greene** to submit very specific questions which the applicant can answer at the next hearing.

James Athearn asked how the status of Edgartown and Martha's Vineyard residents would be determined.

Alan Gowell and **Ted Morgan** said that it is based on street address.

James Athearn asked about alternatives to the Metcalf access.

- **Alan Gowell** said that all energies are going into Metcalf and other access isn't being considered at this time.
- **Ted Morgan** said he feels that Metcalf will go forward but the legislature has to act on the amendments.
- **James Athearn** said he has heard that if the road to Metcalf is not approved, a cleared path might provide access for fire trucks; **Alan Gowell** confirmed that the path is a possible alternative.
- **Ted Morgan** said they have already negotiated with the Land Bank to do the Metcalf extension. 7 acres of land within the affordable housing parcel have

been traded for 2.5 acres of Land Bank land. He confirmed that the unanswered question is the land along the golf course needed for the extension.

Megan Ottens-Sargent said she would prefer a fire truck not be brought up over open land, but a second access on the Edgartown Vineyard Haven Road side be made available.

John Breckenridge asked whether, based on 129 bedrooms and 60 units, a projection could be made of how many cars might be in the development.

- **Ned Hollinshead** said his figures are based on how many trips are generated, not how many cars.
- **John Breckenridge** asked **Joyce Rinaldi** if there is an equation for number of units generating a specific number of vehicles.
- **John Winslow** said that in the site plan, they have provided parking for 137 cars.
- **John Breckenridge** asked about the cap of number of individuals per unit. How many total people would the leases permit? **Joyce Rinaldi** responded that the number is 2 people per bedroom, although that figure is not typically reached.

Linda DeWitt asked for clarification on the handicap requirements. **John Winslow** said the rule is 5% which is 3 units. However, some units are one-story, which makes them handicapped accessible.

John Best asked about sewer hook-ups. The Committee said the development would be hooked up to town sewer; the route to the development is the only unsure element.

Paul Strauss made the observation about traffic that on other projects the Commission has seen a significant difference between statistics based on established regional or national tables and actual local conditions. He said he would like to see a local survey done at a time closer to peak season conditions. He asked about the "f" rated level of service.

- **Ned Hollinshead** said the "F" means more traffic on 12th Street is attempting to pull onto Edgartown Vineyard Haven Road than there is space in the traffic.
- **Paul Strauss** asked at what level the wait becomes burdensome. When does the system fail? **Ned Hollinshead** explained that the system will not reach saturation; at the most extreme case, the projection is for 2 cars to be waiting to pull into traffic.

Doug Sederholm asked that the applicant address the May 19th letter from Fisheries and Wildlife, which suggests the project may proceed so long as no violation of the Massachusetts Endangered Species Act occurs. He would not like to see this project jeopardized because of MEPA. He said he wants to make sure the Commission addresses this issue just as they have in other projects.

Richard Toole asked for construction details, particularly in terms of energy issues and life cycle costs.

- **Charles Eisenberg** explained that the present plan is to use modular units, as they did on the Cape. Energy-wise, the units will be efficient and meet the current criteria. They have a meeting scheduled with N-Star and there are national standards.
- **Linda Sibley** said that the affordability of the units would be related to utilities cost because tenants will be paying for their own.
- **John Winslow** explained that when the plan is fine-tuned, they would be siting the buildings to take advantage of solar energy. Heat will be either oil or propane. And they will be consulting with Cape Light Compact.

Linda Sibley spoke about streetlights. She is concerned about light pollution and, specifically, the frost pocket. The 100 foot buffer will mean nothing if moths are drawn out of the frost pocket. It was explained that lighting on the property will be shielded. In a few places on the road there will be low-level lighting, particularly at the crossings.

Linda DeWitt asked about the recreational area and whether it will be accessible to the neighborhood. At the present time it will be in the southern area below the buffer zone.

James Athearn observed that there will be a lot of kids in the area and said he believed that it would be a fantastic place to grow up. He said that it's important to have places right outside to play. The green spaces outside the units might be grass some day for more immediate play area. He also expressed concern that using 12th Street for street hockey, etc., will be more difficult. He also asked whether there would be a provision that the frost pocket is not part of the recreation area. **Ted Morgan** said that the frost pocket area would be part of the Land Bank property.

Roger Becker, from Chappaquiddick, said he is interested in the build-out rate in Edgartown. Edgartown had a guideline of 10 houses per development per year. He also asked whether provisions were made for using local contractors.

- **Charles Eisenberg** said that The Community Builders is required to open the project to bidding; they want to work with someone who has experience with the modular business.
- He said that it is almost inevitable that the site work will be done by a local company.
- Because of the funding source, the project does not come under state guidelines and the lowest builder does not have to be selected.

Megan Ottens-Sargent clarified that the project is a 40-B project and asked for information about financing. **Peter Friedman** said that they could give an overview of financing at the next meeting.

Dennis Rogers showed the Commission an environmental study done for the town on February 17, 2004. **Linda Sibley** asked that the study become part of the file.

Louis Becker, resident of Chappaquiddick, expressed concern about the residency requirement. Without a tenure requirement, the intent seems to be compromised. He asked whether a requirement could be put in place whereby someone could qualify after living here for three months. **Linda Sibley** asked that The Community Builders address that question at the next meeting.

Michael Donaroma explained that the Pennywise Committee made a field trip to a project approximately the same size on the Cape. He was impressed by the project. As an idea, the project seemed very “un-Vineyard”, but he saw a good project on the Cape. He feels that the Vineyard has designed a better project and the landscape will be 100 times better. He recommended community members visit the project on the Cape.

Paul Strauss asked for square footage in each of the units. The figures rounded off are:

- 1-bedroom is 850 square feet
- 1-story 2-bedroom is 1,000
- 2-story 2-bedroom is 1,100
- 2-story 3-bedroom is 1,250
- 1-story 3-bedroom is 1,200

Lynn Cooley asked about speed bumps and speed issues on 12th Street.

Dennis Rogers encouraged people to take a look at 12th Street.

- He said he waits 3-4 minutes to turn onto Edgartown Vineyard Haven Road. He believes that Metcalf access is crucial.
- He encouraged people to look at other projects The Community Builders have done and managed, particularly some of the older sites.
- He said in 1998 the 12 acres was set aside for recreation but part of the land was set aside for a fire station and a school.
- He said he is not trying to deter the project; he is trying to deal with the issues of traffic and wants to be proud of the final result.

Ted Morgan said plans are still on the table to build a fire sub-station and land has been reserved for that purpose. He said other options are possible besides 12th Street but those roads would need to be improved.

Ham Cooley commented that much of 12th Street is only wide enough for 1½ cars. He asked whether 12th Street would be widened.

John Best asked whether a bike path would be built; a 4 foot-wide uncurbed sidewalk would run the length of the development.

Linda Sibley spoke about traffic on 12th Street.

- She wondered whether the town would put speed bumps on 12th Street as well and asked whether the narrowness of the road would slow people down. Widening the road might allow people drive more quickly.
- **Ted Morgan** said that the road was built according to town specifications.
- Regarding the traffic numbers, **Linda Sibley** explained that Commission staff did some calculating with 150 cars passing through, rather than the projected 100; 150 cars would cause a big problem in delay. She said her personal experience makes her believe that the traffic problem will be severe. She doesn't believe that a one-way road will solve the problem.

Andrew Woodruff asked whether the Metcalf exit was proposed to alleviate traffic on 12th Street or for fire prevention. **Ted Morgan** said for both reasons.

Linda Sibley continued the hearing until Thursday, June 3rd at the same location.

4. ISLAND ELDERLY HOUSING - CONCURRENCE/NON-CONCURRENCE

DRI No. 533 – Woodside Village IV;
 DRI No. 554A – Woodside Village V – REQUESTS FOR EXTENSION OF
 SUBSTANTIAL CONSTRUCTION DEADLINE

DRI No. 553 – Woodside Village IV;
 DRI No. 554A – Woodside Village V;
 DRI No 564 – Hillside Village III;
 DRI No. 568 – Woodside Village VI;
 DRI no. 569 – Aidylberg II – REQUESTS FOR MODIFICATION

Commissioners present: J. Athearn, J. Breckenridge, C. Brown, L. DeWitt, J. Greene, K. Newman, N. Orleans, M. Ottens-Sargent, D. Sederholm, L. Sibley, P. Strauss, R. Toole, A. Woodruff

Bill Veno explained that Island Elderly Housing had requested modifications of conditions for air conditioning, sensors for faucets and handicapped doors because of funding issues.

Jane Greene moved and it was duly seconded that the original decision be amended so that the airconditioning in the common spaces, the infrared motion sensors on the faucets in the accessible units and the bathrooms, and automatic door openers at the entrance be removed from the conditions but with the strong recommendation that these items be installed over time from collected rents.

Christina Brown amended the motion to read that the listed items are not required but may be included when funding is available without returning to the Commission.

A roll call vote was taken: In favor: J. Athearn, J. Breckenridge, C. Brown, L. DeWitt, J. Greene, K. Newman, N. Orleans, M. Ottens-Sargent, D. Sederholm, L. Sibley, P. Strauss, R. Toole, A. Woodruff. Opposed: None. Abstentions: None.

5. OTHER BUSINESS

Monday, May 24th at 5:30 – LUPC Meeting to discuss 111 Realty Trust
Tuesday, May 25th at 5:30 - Site Visit for Pennywise Path, meet at 12th Street

The meeting adjourned at 10:52 p.m.

Chairman

Date

Clerk-Treasurer

Date